

DETAILED ACTION

1. This action is response to the Decision on Appeal issued on 08/16/2011; claims 1-17 are pending.

2. The identical Information Discloses Statements (IDSs) filed on 06/14/2005 are considered.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. Authorization for this examiner's amendment was given in a telephone interview with Attorney Rominwa Akpala, Reg. No. 59,775, on October 12, 2011 through Tel. No. 908-898-4891.

5. The claim 11 has been amended as follows:

Claim 11:

A system for distributing software comprising:

a memory;

an application server transmitting a message that includes a first channel selected from a first channel layer and a second channel selected from a second channel layer;

a first application layer router coupled to the first channel layer receiving the message and transmitting the message over the first channel, wherein the message is distributed to the first application layer router in response to at least the first application layer router registering with the application server to receive messages in accordance with configuration data of at least a first endpoint;

a second application layer router coupled to the second channel layer receiving the message and transmitting the message over the second channel, wherein the message is distributed to the second application layer router in response to at least the second application layer router registering with the application server to receive messages in accordance with configuration data of at least a second endpoint; and

the second endpoint receiving the message from the second channel layer.

Reasons for allowance

6. Regarding the judgment from the Board of Patent Appeal, with respect to claims 1 and 11, the prior arts of record, singly or in combination fails to teach the features of claim(s) limitations thereof. Specially, inter alia, it fails to teach a system for distributing software comprising an application server transmitting a message that includes a first channel selected from a first channel layer and a second channel selected from a second channel layer; a first application layer router coupled to the first channel layer receiving the message and transmitting the message over the first channel; a second application layer router coupled to the second channel layer receiving the message which transmitted by the first application layer router and transmitting the message over the second channel; and an endpoint receiving the message from the second channel layer; wherein the message is distributed to the first application layer router

in response to at least the first application layer router registering with the application server to receive messages in accordance with configuration data of at least a first endpoint; wherein the message is distributed to the second application layer router in response to at least the second application layer router registering with the application server to receive messages in accordance with configuration data of at least a second endpoint.

Claims 2-10, 12-17 further limit the allowed claims, therefore they are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on 571-272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LAN-DAI TRUONG/
Examiner, Art Unit 2452